

*Town of Lamoine, Maine*  
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207-667-2242  
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## Electronic Communications Retention Policy

### Purpose

The purpose of this policy is to specify the methods and length of retention of electronic communications to and from the Town of Lamoine. Electronic communication shall include E-mail, recorded telephone conversations, recorded meeting media, instant messages, and other forms of non-printed communication that may exist now or in the future. The town recognizes that:

- Electronic Communication may be considered a public record pursuant to 1 MRSA § 401 et seq
- No computer system can be guaranteed to be totally secure from outside intrusion

### Definitions

- **E Mail, Official Business** – This includes any electronic mail sent to or from a domain address used by the Town of Lamoine (presently [\\*\\*\\*\\*@lamoine-me.gov](mailto:****@lamoine-me.gov)) requesting a specific governmental action, providing official information, transmitting information for town related purposes that are not confidential by statute.
- **E Mail, Confidential** – This includes any electronic mail regarding subjects deemed confidential under state statute, including, but not limited to, communication regarding general assistance, legal advice, employee negotiations, personnel disciplinary matters, economic development matters.
- **E Mail, Personal** – This includes any electronic mail sent to or from a domain address or from a device owned by the Town of Lamoine that is not official business of the Town of Lamoine.
- **E Mail, Unsolicited** – This includes any electronic mail received by the domain addresses or by devices owned by the Town of Lamoine that is of a general distribution nature and from a source not affiliated with the Lamoine Town Government. This is commonly referred to as “spam” and is commonly advertising items or events.
- **DVD Recording** – This includes a program, generally recorded via the town cable TV system that has been preserved electronically on a disk or other storage medium.
- **MPEG or CTV Recording** – This includes an event recorded on the Lamoine CTV system computer for playback by the CTV system.
- **Instant Message (IM)** – This includes electronic communications commonly accomplished through the use of a computer through any of a variety of instant message services.

- **Recorded Telephone Conversations** – This includes any electronic file, tape, CD, or other storage device of a telephone conversation made by town personnel and with the knowledge of BOTH parties.

### **Retention Process & Period**

- **E Mail (general)** – All e-mail entering the town's domain shall be retained on the incoming e-mail server in an electronic archive file. This will ensure that should an individual computer experience failure, the files will be stored in an alternate location. All e-mail will be stored electronically on the town's e-mail server for a period of 1-year.
- **E Mail, Official Business** - Such e-mail shall be stored on both the incoming server and on the receiving or sending computer for a period of one year, as per state statutes governing correspondence. E-mail of substantive value shall be printed and stored with the appropriate files per state statutes.
- **E Mail, Confidential** – Such e-mail shall be printed immediately, the hard copy to remain with the confidential file. Employees shall delete confidential e-mail from their work stations following printing and filing, however, it is recognized that incoming e-mail will be stored on the town's server for a period of 1-year.
- **E Mail, Personal** – Such e-mail shall be stored on the incoming server for one year, but may be deleted from the receiving/sending computer by the operator at will. Employees are encouraged to refrain from using town computers for personal e-mail in a manner that interferes with conduct of town business.
- **E Mail, unsolicited (spam)** – Such e-mail may be deleted at will from receiving computers. Unsolicited e-mail containing attachments from an unknown or unexpected source should not be opened and deleted ASAP as it is recognized that such attachments often contain viruses.
- **DVD/CD Recording** – DVD program recordings made by the Lamoine Cable TV system shall be stored in the town's vault for a period of 5 years from the date of the meeting. After 5-years the recordings will be offered to the Lamoine Historical Society for their retention or disposition as the society sees fit. (As per state statute, the recording of the meeting may be destroyed, provided written and approved minutes of any official government organization have been provided and are in permanent storage.)
- **MPEG or CTV Recording** – Such recordings may be deleted if storage space on the CTV system is no longer sufficient to hold the recording, provided that a DVD backup is made and stored for the required period of time as outlined above.
- **Recorded Telephone Conversations** – If an audio recording is made of a telephone conversation, it shall be stored for 5-years, unless a transcript is made and printed, such transcript being made part of the file in which the recording is related. Normally a telephone conversation would be considered the same as correspondence.
- **Instant Messaging (IM)** – Employees are discouraged from using instant message, but such "conversations" are considered to be correspondence, and shall be stored in the same manner as e-mail noted above.

## **Disposition/Deletion**

Prior to deleting electronic communications media, the Town Clerk and Administrative Assistant to the Selectmen shall work together, identify in writing the date of disposal/deletion and the media being deleted or disposed of and keep a notation within the Town Clerk's official record book.

## **Penalties**

The misuse of e-mail may be sufficient cause for discipline in accordance with any other policies regarding employment within the Town of Lamoine. Willful destruction of electronic communication prior to the expiration of the retention periods outlined above is prohibited, technological failure and operator error notwithstanding. Any destruction of electronic communication prior to the expiration of the retention period shall be reported immediately to the Administrative Assistant to the Board of Selectmen who shall transmit such report to the entire Board of Selectmen upon receipt.

## **Agreement to Policy**

By accepting employment with the Town of Lamoine, the employee agrees to abide by the above policy regarding electronic communication retention and disposal. A copy of this policy shall be made to all existing and newly hired employees with access to town computers. Employee shall sign below acknowledging receipt and understanding of this policy.

## **Adoption Date**

This policy is adopted by the Lamoine Board of Selectmen as of May 21, 2009.

Signed,

\_\_\_\_\_  
Cynthia Donaldson

\_\_\_\_\_  
S. Josephine Cooper, Chair

\_\_\_\_\_  
Richard Fennelly Jr.,

\_\_\_\_\_  
Gary McFarland

\_\_\_\_\_  
Kermit Theall

*The Lamoine Board of Selectman*

## **Employee Acknowledgement**

I have read the above policy and understand it in regard to the storage and disposition of electronic communication by the Town of Lamoine and agree to abide by such policy.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date